Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	
In Re: Delete, Delete, Delete	)	GN Docket No. 25-133

COMMENTS OF NAGISH, INC.

Nagish, Inc. ("Nagish") respectfully submits these comments in response to the Federal Communications Commission's ("FCC" or "Commission") Public Notice in the above-captioned proceeding.[1]

I. INTRODUCTION AND SUMMARY

Nagish is a certified Telecommunications Relay Services ("TRS") provider offering Internet Protocol Captioned Telephone Service ("IP CTS") and Internet Protocol Relay Services ("IP Relay") and is investing in cutting-edge technologies to create a seamless, accurate, and high-quality service for consumers who are deaf and hard of hearing.[2] Nagish's service is built upon years of innovation and dedication and gives deaf, hard of hearing, and deaf-blind individuals much-needed choice. Through key investments in technology, Nagish is able to provide these individuals a functionally equivalent communications experience that is accurate, faster and more efficient than traditional TRS.

[1] *In re: Delete, Delete, Delete*, Public Notice, GN Docket No. 25-133, DA 25-219 (rel. Mar. 12, 2025).

[2] *See In re Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Order, 39 FCC Rcd 92 (CGB 2024) ("*Nagish IP CTS Conditional Certification Order*"); *In re Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Order, CG Docket No. 03-123, DA 24-1292 (CGB rel. Dec. 23, 2024) ("*Nagish IP Relay Conditional Certification Order*").

Nagish applauds the Chairman for launching this proceeding consistent with the President's February 19, 2025 Executive Order[3] and encourages the Commission to conduct a wholistic review of the rules and policies governing TRS to ensure they are modernized, narrowly tailored to meet Commission goals of functionally equivalent service while protecting the integrity of the TRS Fund, and avoid unnecessary burdens. Especially for small providers, including start-ups like Nagish, the compliance burdens associated with unnecessary rules divert resources from potential for investment in the cutting edge technologies powering the latest TRS innovations. The Commission should take action to delete, or modify the policies below:

Rule/Policy	Action and Justification
Substantive Change Notice 47 C.F.R. § 64.606(f)	The rule requiring notice of certain changes within 60 days is duplicative of the annual reporting requirement. It is extremely burdensome and there does not appear to be any policy benefit for the required notices in advance of an annual filing. *See* Deregulatory EO Sec. 2(v), (vii).
Quarterly Complaint Log 47 C.F.R. § 64.604(c)(1)(ii); *Conditional Certification Orders*	Quarterly complaint logs are not necessary and redundant with the annual requirement. This policy was never adopted by the Commission as a rule and there was never any analysis on the costs, benefits of need. Even so, it has been required by the Bureau for conditionally certified providers. *See* Deregulatory EO Sec. 2(v), (vii).
Default Provider Requirements 47 C.F.R. §§ 64.611, 64.630-.636	The rules requiring providers to allow users to register with a provider as a "default provider" are both outdated and burdensome. Consumers are free to use any provider and do not necessarily understand this requirement. There is no reason for these obligations on providers. *See* Deregulatory EO Sec. 2(v), (vii).
PSAP Outage Notifications 47 C.F.R. § 4.9(h)	Requiring special diligence and notification by non-facility-based providers is unnecessary, and risks causing confusion and over-notification to PSAPs. *See* Deregulatory EO Sec. 2(v), (vi), (vii).

[3] *See* Exec. Order No. 14219, Ensuring Lawful Governance and Implementing the President's "Department of Government Efficiency" Deregulatory Initiative, 90 Fed. Reg. 10583 (Feb. 19, 2025) ("Deregulatory EO").

II. REMOVING UNNECESSARY AND BURDENSOME REGULATIONS WILL PROMOTE INVESTMENT WHILE STILL PROTECTING THE INTEGRITY OF THE TRS FUND.

Nagish encourages the Commission to delete or modify burdensome or unnecessary rules and policies, as described further below.

1. *60-Day Substantive Change Notice*. Under section 64.606(f)(2) of the Commission's rules, Video Relay Service ("VRS") and IP Relay providers must notify the Commission of "substantive changes" in their programs, services, and features within 60 days of when such changes occur.[4] When the Commission adopted this requirement in 2005, it explained that a substantive change notification, in concert with the annual reporting requirement, would help ensure that providers would offer service in compliance with the rules and allow the Commission to monitor compliance and service quality.[5] But there is no compelling evidence that the independent substantive change requirement is necessary and it should be eliminated given that the broader annual reporting requirement that all internet-based TRS providers must follow to demonstrate that they are in compliance with the mandatory minimum requirements is sufficient for the Commission to monitor compliance and service quality.[6]

There is no reason for there to be an ongoing burden to report each and every substantive change, such as the use of new equipment or technologies, as they occur. Instead, providers should communicate these changes to the Commission in the annual report. All TRS providers must ensure that they meet the mandatory minimum standards; recertification to that effect after

[4] 47 C.F.R. § 64.606(f)(2).

[5] *See In re Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Report and Order and Order on Reconsideration, 20 FCC Rcd 20577, 20590 ¶ 25 (2005).

[6] *See* 47 C.F.R. § 64.606(g).

a substantive change does not change the ongoing obligation. The Commission should waive this rule.

2. *Quarterly Complaint Log*. Section 64.604(c)(1)(ii) of Commission's rules requires that TRS providers submit summaries indicating the number of complaints received for the 12-month period ending.[7] Notwithstanding this rule, the Consumer & Governmental Affairs Bureau's ("Bureau") practice has been to require conditionally certified providers to submit *quarterly* consumer complaint logs in addition to the annual report, nominally to assist in the "final determination of [the provider's] qualifications."[8]

Compiling quarterly consumer complaint logs requires many hours of work, including daily tagging of complaints related to purported mandatory minimum standards issues, as well as additional time to review the logs before filing. This represents significant resources that could otherwise be allocated for other purposes, including making the product experience better for consumers. What is more, Nagish has never received any follow-up from the Commission regarding a complaint identified in one of its quarterly logs. In fact, most of the complaints are outside Nagish's control; for example, complaints generally involve events like users accidentally muting themselves, poor reception, and other network issues.

TRS users can and should still be able to directly file complaints with the Commission.[9] And, under the existing rules, providers are still required to submit an annual report. Because this is not a rule, the obligation can easily be eliminated by the Bureau. The Bureau should

[7] *See* 47 C.F.R. § 64.604(c)(1)(ii).

[8] *See, e.g.*, *Nagish IP CTS Conditional Certification Order*, 39 FCC Rcd at 97-98 ¶ 15; *Nagish IP Relay Conditional Certification Order* ¶ 27; *In re Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Order, CG Docket No. 03-123, DA-24-1293 ¶ 27 (CGB Dec. 23, 2024).

[9] *See Accessibility Complaint*, FCC, https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_form_id=36040 (last visited Apr. 11, 2025).

relieve conditionally certified TRS providers of the obligations to submit quarterly complaint logs.

3. *Default Provider Requirements.* Under section 64.611 of the Commission's rules, an eligible internet-based TRS user may register with a VRS or IP Relay provider as the user's "default provider."[10] Related rules govern procedures that apply to default providers, including the process for a user to change the default provider.[11] While these rules were generally adopted to promote the routing and completion of calls and to facilitate 911 service,[12] and updated to prevent "slamming,"[13] they are no longer necessary and create burdens.

In addition to being outdated, the "default provider" rules require providers to expend significant resources to ensure that they have in place the mechanisms to effectuate the regime. This requires providers to work closely together with others and obtain alignment from several stakeholders.

Whatever the validity the default provider rules had in the past, they are not necessary in today's environment because IP-based TRS providers issue virtual numbers by default. Providers are also required to facilitate 911 service and protect network security. While porting numbers between providers should still be supported upon request, Nagish's experience is that users generally do not understand what the default provider regime is and very rarely exercise the ability to change default providers. That is in part due to the fact that the rules do not prevent

[10] 47 C.F.R. § 64.611.

[11] *See* 47 C.F.R. § 64.630-.636.

[12] *In re Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Report and Order and Further Notice of Proposed Rulemaking, 23 FCC Rcd 11591, 11609-10 ¶¶ 42-45 (2008), *Consumer & Governmental Affairs Bureau Reminds Video Relay Service (VRS) and Internet Protocol (IP) Relay Service Providers of Their Outreach Obligations and Clarifies Their Call Handling Obligations for Unregistered Users After the November 12, 2009, Ten-Digit Numbering Registration Deadline*, Public Notice, 24 FCC Rcd 12877 (2009).

[13] *In re Structure and Practices of the Video Relay Service Program*, Report and Order and Further Notice of Proposed Rulemaking, 28 FCC Rcd 8618, 8673-79 ¶¶ 142-154 (2013), *vacated in part*, *Sorenson Commc'ns, Inc. v. FCC*, 765 F.3d 374 (D.C. Cir. 2014).

users from simply using a different provider for all of their calls; accordingly, when a user wishes to use a different service provider, they can simply choose to do so. The Commission should waive these rules.

4. *PSAP Outage Notifications*. Absent a waiver, new rules will require covered 911 service providers[14] to use "special diligence" to maintain up-to-date contact information for 911 special facilities, including public safety answering points ("PSAPs"), in their areas and must notify designated officials at those special facilities of any outage that potentially affects the facilities.[15] This rule should be immediately waived and then substantially reformed to avoid the overfortification of PSAPs and to reduce the burdens on covered providers.

The broad definition of covered 911 service providers means that many providers, including providers of TRS that lack facilities, could be required to notify PSAPs of any outages, even when the underlying outage is outside of the control of the TRS provider. It is also redundant if the facilities-based provider is already notifying PSAPs of outages. The result could be confusing and produce a potential avalanche of notifications, which the public safety community has raised concerns about.[16] This result is inconsistent with the public safety goals that the Commission has traditionally sought to advance and represents an unnecessary burden on TRS providers. The Commission should waive this rule to avoid unintended consequences.

III. CONCLUSION

Nagish welcomes the Commission's efforts to review its rules and identify those that represent inefficient burdens on TRS providers, especially start-ups like Nagish. The deletion of

[14] 47 C.F.R. § 9.19(a)(4)(i)(A).

[15] 47 C.F.R. § 4.9(h) (effective Apr. 15, 2025); *see also Disruptions to Communications; Improving 911 Reliability; Ensuring the Reliability and Resiliency of the 988 Suicide & Crisis Lifeline; Rules Concerning Disruptions to Communications; Implementation of the National Suicide Hotline Improvement Act of 2018*, 89 Fed. Reg. 101500 (Dec. 16, 2024).

[16] *See, e.g.*, Letter from Mel Maier, CEO and Executive Director, APCO International et al., to Marelene H. Dortch, Secretary, FCC, PS Docket Nos. 15-80, 13-75, ET Docket No. 04-35 (filed Jan. 6, 2025); Monty Tayloe, *FCC Outage Reporting Rules Could Increase PSAP 'Overnotification', Lawyers Say*, Commc'ns Daily (Mar. 18, 2025).

such rules will allow providers to deliver improved services for consumers who are deaf and hard of hearing.

Respectfully submitted,

/s/ Tomer Aharoni

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April 11, 2025